

## SUBCHAPTER A—GENERAL

### PART 1401—DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION SYSTEM

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AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), and 5 U.S.C. 301.

SOURCE: 49 FR 14252, Apr. 10, 1984, unless otherwise noted.

#### Subpart 1401.1—Purpose, Authority, Issuance

#### 1401.105 OMB approval under the Paperwork Reduction Act.

The information collection and recordkeeping requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The following OMB control numbers:

DIAR segment	OMB control No.
1452.204-72 .....	1084-0019
1452.210-70 .....	1084-0017

DIAR segment	OMB control No.
1452.225-70 .....	1084-0018

#### Subpart 1401.3—Agency Acquisition Regulations

##### 1401.301 Policy.

(a)(1) Subject to the authorities in paragraph (d) of this section, the Department issues acquisition regulations which implement or supplement the FAR under the Department of the Interior Acquisition Regulation (DIAR) System. The regulations, as part of the FAR system, are issued in accordance with the policy in FAR 1.301(a)(1).

(2) Subject to the authorities in paragraph (d) of this section, the Department also issues internal guidance and instructions under the DIAR System in accordance with the policy in FAR 1.301(a)(2).

(b) Public participation in the promulgation of the acquisition regulations which are published in the FEDERAL REGISTER shall follow the Department's rulemaking procedures prescribed in part 318, chapter 6 of the Departmental Manual (318 DM 6) and the procedures in FAR subpart 1.5.

(c) Regulations and internal guidance under the DIAR System are issued pursuant to the authority of the Secretary of the Interior under 5 U.S.C. 301 and 40 U.S.C. 486(c). This authority has been delegated to the Assistant Secretary—Policy, Management and Budget under part 209, chapter 4.1A of the Departmental Manual (209 DM 4.1A).

[56 FR 15838, Apr. 18, 1991]

##### 1401.301-70 Definitions.

(a) *Implement*, as used in this subpart, means coverage that expands upon or specifically indicates the manner of compliance with related higher level coverage.

(b) *Supplement*, as used in this subpart, means material for which there is no counterpart in higher-level coverage.

[56 FR 15838, Apr. 18, 1991]

**1401.302 Limitations.**

DIAR System regulations and internal guidance conform to the limitations in FAR 1.301 and consist of—

(a) Published and codified Department-wide regulations which implement or supplement FAR policies and procedures and directly govern the contracting relationship between the Department's bureaus and offices and existing or potential contractors;

(b) Published and codified bureau-wide regulations which implement or supplement FAR and DIAR policies and procedures and govern the relationship between a bureau and existing or potential contractors to satisfy specific and unique needs of the particular bureau;

(c) Unpublished Department-wide internal guidance related to administrative implementation of FAR policies and procedures which does not directly affect existing or potential contractors; and

(d) Unpublished bureau-wide internal guidance which is necessary for administrative implementation of FAR or DIAR System requirements at organizational levels.

[56 FR 15838, Apr. 18, 1991]

**1401.303 Publication and codification.**

(a)(1) Implementing and supplementing regulations issued under the DIAR System are codified under chapter 14 in title 48, Code of Federal Regulations and shall parallel the FAR in format, arrangement, and numbering system.

(2)(i) Department-wide regulations (see 1401.302(a)) are assigned parts 1401 through 1479 under 48 CFR, chapter 14.

(ii) Where material in the FAR requires no implementation, there will be no corresponding number in the DIAR. Thus, there are gaps in the DIAR sequence of numbers where the FAR, as written, is deemed adequate. Supplementary material shall be numbered as specified in FAR 1.303.

(3)(i) Bureau-wide regulations (see 1401.302(b)) are authorized for codification in appendices to chapter 14 as assigned by the Director, Office of Acquisition and Property Management, in accordance with 1401.304(a)(3).

(ii) Regulations implementing the FAR or DIAR are numbered using parts 1401 through 1479. Supplementary material is numbered using parts 1480 through 1499. Numbers for implementing or supplementing regulations are preceded by a prefix to the digit 14 (indicating chapter 14-DIAR) for the organization indicated as follows:

- (A) Bureau of Indian Affairs—BIA
- (B) Bureau of Reclamation—WBR
- (C) Office of the Secretary—OS
- (D) Bureau of Land Management—LLM
- (E) Bureau of Mines—WBM
- (F) Geological Survey—WGS
- (G) Office of Surface Mining—LSM
- (H) Minerals Management Service—LMS
- (I) National Park Service—FNP
- (J) Fish and Wildlife Service—FWS

(b) Copies of issuances under 1401.302 (a), (b) and (c) may be obtained from the Office of Acquisition and Property Management, Office of the Secretary, U.S. Department of the Interior, 1849 C Street, NW., Washington, DC 20240.

[56 FR 15838, Apr. 18, 1991]

**1401.304 Agency control and compliance procedures.**

(a)(1) The DIAR System is under the direct oversight and control of the Director, Office of Acquisition and Property Management, who is responsible for review and preparation for issuance of all Department-wide and bureau-wide codified acquisition regulations published in the FEDERAL REGISTER to assure compliance with FAR part 1. Review procedures are contained in part 401 of the Departmental Manual (401 DM) and (3) below. One copy of all material issued under 1401.302 (b) and (d) shall be furnished to the Director, Office of Acquisition and Property Management, at the time of issuance.

(2) The Director, Office of Acquisition and Property Management, is also responsible for review and issuance of unpublished Department-wide internal guidance under the DIAR System.

(3) A bureau wishing to issue bureau-wide regulations under 1401.302(b) shall submit a request to the Director, Office of Acquisition and Property Management, for authority to proceed with the regulation. The request shall include a